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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) No. CR 05-00447 CRB
15 Plaintiff,) REQUEST, STIPULATION AND ORDER
16 v.)
17 SANG HUN PARK,)
18 Defendant.)

19 This matter is currently on the Court's calendar for July 12, 2006. Through counsel,
20 defendant Sang Hun Park and the United States ask the Court to (a) vacate the July 12, 2006 date
21 based on the defendant's anticipated plea agreement, (b) set a date of July 26, 2006 for change-
22 of-plea, and (c) exclude time under the Speedy Trial Act, 18 U.S.C. § 3161 from July 12, 2006,
23 to July 26, 2006.

- 24 1. The parties are currently working out the language of a plea agreement and request that the
25 Court set the matter for July 26, 2006, for change-of-plea.
26 2. The parties agree that the time between July 12, 2006 and July 26, 2006 should be
27 excluded from the Speedy Trial clock. Previously, the Court has declared this case complex.
28

ORDER
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1 See 18 U.S.C. § 3161(h)(8)(B)(ii). Further, defense counsel is investigating the immigration
2 consequences of a plea. That matter needs a short amount of time to be resolved, and thus the
3 parties agree that a continuance is necessary for the effective preparation of defense counsel,
4 taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties
5 also agree that the ends of justice served by excluding the period from July 12, 2006 to July 26,
6 2006 outweigh the interest of the public and the defendant in a Speedy Trial. See id. §
7 3161(h)(8)(A).

STIPULATED:

July 3, 2006

DATE

/S/ PETER B. AXELROD

PETER B. AXELROD

LAUREL BEELER

Assistant United States Attorneys

July 3, 2006

DATE

/S/ MICHAEL GAINES

MICHAEL GAINES

Attorney for Sang Hun Park

ORDER

17 For good cause shown, and for the reasons stated above, the Court (a) vacates the July 12,
18 2006, hearing date for defendant Sang Hun Park based on the anticipated plea agreement, (b) sets
19 the matter for change-of-plea on July 26, 2006, at 2:15 p.m., and (c) excludes times under the
20 Speedy Trial Act, 18 U.S.C. § 3161, from July 12, 2006, to July 26, 2006. The Court finds that
21 the failure to grant the requested exclusion would deny defense counsel reasonable time
22 necessary for effective preparation taking into account the exercise of due diligence. Further, the
23 Court finds the exclusion warranted on complexity grounds, under 18 U.S.C. § 3161(h)(8)(B)(ii).
24 Thus, the Court finds that the ends of justice served by granting the requested exclusion outweigh
25 the best interest of the public and the defendant in a speedy trial and in the prompt disposition of
26 criminal cases. The Court therefore concludes that this exclusion of time should be made under

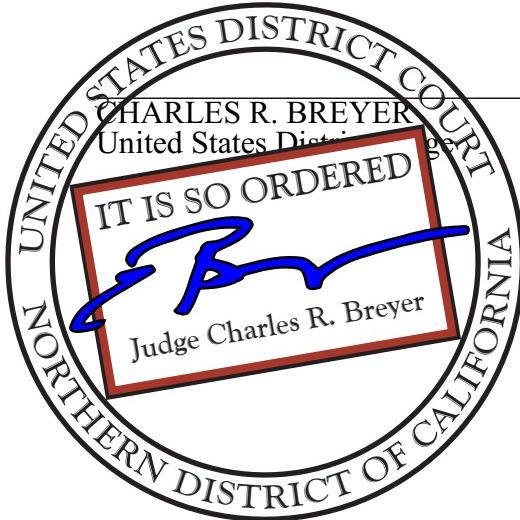
V

**ORDER
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18 U.S.C. §§ 3161(h)(8)(A), (h)(8)(B)(ii) and (h)(8)(B)(iv).

IT IS SO ORDERED.

DATED: July 05, 2006



ORDER
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